

REMARKS

Currently, claims 1-22 remain pending in the present application, including independent claims 1 and 13. The claims are generally directed to paper products, such as facial tissues, that are capable of transferring beneficial chemical compounds to an opposing surface. As defined in claim 1, the paper product includes a nonwoven web that has been treated with a siloxane treatment.

The siloxane treatment includes:

- 1) an amino functional siloxane composition bonded to the pulp fibers contained in the nonwoven web; and
- 2) a complex of a non-amino functional siloxane and at least one beneficial chemistry agent.

The beneficial chemistry agent is particularly defined as a skin wellness composition that is selected from the group consisting of skin medicinal agents, skin therapeutic agents, and antimicrobial agents.

As stated in claim 1, the non-amino functional siloxane and beneficial chemistry agent complex has an attraction to the amino functional siloxane composition that is bonded to the pulp fibers. The complex is configured to be transferred to an opposing surface, such as a user's skin, when the opposing surface is contacted with the paper product.

In the Office Action, claims 1-7, 9-14 and 17-22 were rejected under 35 U.S.C. § 102(e) in view of U.S. Patent No. 6,054,020 to Goulet et al. In comparison to the currently pending claims, however, Goulet et al. does not disclose a complex of a non-amino functional siloxane and at least one beneficial chemistry agent. Instead, Goulet et al. merely mentions a "biocide package" as part of an aqueous emulsion in the examples. Consequently, Applicants submit that Goulet et al. does not anticipate the currently pending claims.

In the Office Action, the claims were also rejected under 35 U.S.C. § 103 in view of Goulet et al. Goulet et al., however, is not available as prior art under 35 U.S.C. §

103. In particular, both Goulet et al. and the present application were both subject to assignment to Kimberly-Clark Worldwide, Inc. at the time the invention was made. An assignment of the present application, for instance, was recorded in the Patent and Trademark Office at reel number 15514 and frame number 407. Likewise, Goulet et al. was formally assigned to Kimberly-Clark Worldwide, Inc. Thus, Goulet et al. is not available as prior art under § 103.

Claims 1-22 were also rejected under 35 U.S.C. § 103 in view of European Patent Application No. 0607796 to Floyd and in view of U.S. Patent No. 5,389,204 to Ampulski. Reconsideration is respectfully requested.

For instance, as stated during prosecution of the parent application, Floyd fails to disclose or suggest the combination of an amino functional siloxane composition bonded to the pulp fibers in addition to a complex formed from a non-amino functional siloxane and at least one beneficial chemistry agent.

Specifically, Floyd fails to disclose or suggest the use of a beneficial chemistry agent as defined in the present application. As stated in the Office Action, Floyd does suggest optionally adding to the medium dyes, preservatives, odor imparting materials, surfactants, polyalkyl polyether polysiloxane to alter the handfeel of the nonwovens, polyalkyl polysiloxane, or dialkyl polysiloxane to increase the softness of the material. Nowhere, however, does Floyd disclose or suggest adding to the composition a beneficial chemistry agent that is a skin medicinal agent, a skin therapeutic agent, or an antimicrobial agent. Further, Floyd fails to disclose or suggest a complex formed between a non-amino functional siloxane and at least one beneficial chemistry agent that is configured to be transferred to an opposing surface when an opposing surface is contacted with the product. As such, it is believed that the claims patentably define over Floyd.

Similar to Floyd, Ampulski also fails to disclose or suggest the use of a beneficial chemistry agent. As stated in column 2, Ampulski is directed to the use of a functional

polydimethylsiloxane that is diluted with a miscible nonvolatile inexpensive solvent such as a nonfunctional polysiloxane compound or a mineral oil for obtaining softness benefits while using less of the functional polydimethylsiloxane. The composition disclosed in Ampulski can contain:

- 1) a functional polysiloxane compound;
- 2) a nonvolatile diluent such as a nonfunctional polysiloxane or mineral oil;
- 3) a surfactant emulsifier;
- 4) a surfactant; and
- 5) a binder such as starch.

As shown above, however, nowhere does Ampulski disclose the use of a beneficial chemistry agent. The surfactant, for example, is used to enhance the tactile perceivable surface smoothness of the tissue paper and/or to at least partially offset any reduction of wettability of the tissue paper which would result from the incorporation of the polysiloxane. Thus, the surfactant is used to improve the properties of the tissue product as opposed to comprising a skin wellness composition as particularly defined in the currently pending claims. As such, Applicants believe that the claims also patentably define over Ampulski.

In the Office Action, the claims were objected to due to a typographical error in the numbering of the claims. In particular, claim 4 was misnumbered claim 12. By Examiner's amendment, however, it appears that claim 12 has now been renumbered to claim 4. If this is incorrect, however, the Examiner is invited to telephone the undersigned in order to resolve this matter.

In summary, it is respectfully submitted that the present application is in complete condition for allowance and favorable action is therefore respectfully requested.

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Respectfully submitted,

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